

**AN ORDINANCE AUTHORIZING PARTICIPATION
IN DRIVER IMPROVEMENT PROGRAMS OR OTHER SIMILAR PROGRAMS/COURSES**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELBA, as follows:

SECTION 1: That persons who have been cited for moving violations which are pending in the municipal court for the City of Elba, Alabama, (hereinafter "City) are hereby authorized, upon application to the municipal court, to participate in a four (4) hour driver improvement program or other similar program, and in some instances, online driving course, (hereinafter sometimes referred to as "program or course"), and thereafter have their case(s) dismissed by the municipal court, provided they meet the following criteria and comply with the following requirements:

- (a) Said individuals must not have been cited for another moving violation within the last two (2) years.
- (b) Said individuals must have a valid Driver License.
- (c) Said individuals must not hold a Commercial Driver License.
- (d) Said individuals shall obtain court approval of the program or course to be attended or completed.
- (e) Said individuals shall bear the responsibility of independently registering for the program or course and the cost of attending the program or course, which is to be in addition to the payment set forth below to the municipal court for the City.
- (f) Said individuals shall pay to the municipal court for the City the amount of \$200.00 in fee(s) and/or court costs and provide satisfactory proof of completion of the program or course to the municipal court, at such time(s) as is(are) set by the municipal court.

SECTION 2: That persons who have been cited for moving violations which are pending in the municipal court for the City may be authorized to participate in a six (6) hour driver improvement program, or other similar program, and in some instances, online driving course, upon application to and at the discretion of the municipal court, and thereafter may have their case(s) dismissed by the municipal court at its discretion, if they meet the following minimum criteria and comply with the following minimum requirements:

- (a) Said individuals must have a valid Driver License.
- (b) Said individuals must not hold a Commercial Driver License.
- (c) Said individuals shall obtain court approval of the program or course to be attended or completed.
- (d) Said individuals shall bear the responsibility of independently registering for the program or course and the cost of attending the program or course, which is to be in addition to the payment set forth below to the municipal court for the City.
- (e) Said individuals shall pay to the municipal court for the City the amount of \$200.00 in fee(s) and/or court costs and provide satisfactory proof of completion of the program or course to the municipal court, at such time(s) as is(are) set by the municipal court.

SECTION 3: The above provisions herein shall not be construed as a limitation on any authority of the municipal judge for the City to order Defendants with cases in the City's municipal court to complete driver improvement programs, online driving courses, or other similar programs or courses, as a condition of any sentence or suspended sentence.

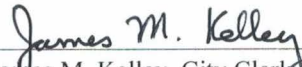
SECTION 4: This ordinance shall become effective upon its approval, adoption, enactment and publication by newspaper as set forth in § 11-45-8(b), *Code of Alabama*, 1975.

ADOPTED and APPROVED this 13 day of November, 2017.


Mayor Mickey L. Murdock



Attest:


James M. Kelley, City Clerk